

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiffs,

vs.

HEATHER FRANK,

Defendant.

8:17CR59

ORDER

Defendant Heather Frank appeared before the court on October 9, 2018, on a Petition for Warrant or Summons for Offender Under Supervision [112]. Defendant was represented by Assistant Federal Public Defender Jeffrey L. Thomas, and the government was represented by Assistant U.S. Attorney Donald J. Kleine. Defendant waived her right to a probable cause hearing on the Petition pursuant to Fed. R. Crim. P. 32.1(b)(1)(A).

The government moved for detention. Through counsel, Defendant declined to present any evidence on the issue of detention and otherwise waived a detention hearing. Defendant has failed to meet her burden to establish by clear and convincing evidence that she will not flee or pose a danger to any other person or to the community. Fed. R. Crim. P. 32.1(a)(6); 18 U.S.C. § 3143(a)(1).

I find that the Petition [112] alleges probable cause and that Defendant should be held to answer for a final dispositional hearing before Judge Gerrard.

IT IS ORDERED:

1. A final dispositional hearing will be held before District Judge Gerrard in Courtroom No. 1, Fourth Floor, Roman L. Hruska U.S. Courthouse, 111 South 18th Plaza, Omaha, Nebraska, on November 15, 2018, at 11:00 a.m. Defendant must be present in person.

2. Defendant is committed to the custody of the Attorney General or his designated representative for confinement in a correctional facility;

3. Defendant shall be afforded a reasonable opportunity for private consultation with defense counsel; and

4. Upon order of a United States court or upon request of an attorney for the government, the person in charge of the corrections facility shall deliver Defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

Dated this 10th day of October, 2018.

BY THE COURT:

s/ Michael D. Nelson
United States Magistrate Judge